



U.S. Department of Justice

Antitrust Division

Liberty Square Building

*450 5th Street, N.W.
Washington, DC 20001*

December 20, 2018

DELIVERY VIA ECF

Hon. Richard J. Leon, U.S. District Court Judge
U.S. District Court Judge for the District of Columbia
E. Barrett Prettyman Courthouse
333 Constitution Ave., NW
Washington, DC 20001

Re: United States, *et al.* v. CVS Health Corp., *et al.*,
Civil Action No. 1:18-cv-02340 (RJL)

Dear Judge Leon:

At a hearing on December 18, 2018, the Court asked the parties whether it would be appropriate for Julie Myers-Wood, the Monitoring Trustee in the above-referenced matter, to also monitor four steps that CVS is taking concerning Aetna's business. *See* Tr. 12/18/18 at 16:24-17:19. CVS described those steps in its Memorandum in Response to the Court's December 3, 2018 Order to Show Cause. ECF #33 at 15-16.

In a letter submitted to the Court today, CVS has voluntarily committed to filing quarterly declarations with the Court certifying under oath that each step remains in place. ECF #42 at 1. To the extent that CVS desires to modify or end one of the commitments, it has proposed giving the Court 30 days' notice and an explanation of the reasons for the proposed change before implementing it. *Id.* While the United States believes that these actions and an order regarding them are unnecessary and inappropriate for the reasons explained in the United States' Response

to Order to Show Cause, ECF #32, the United States has no objections to these voluntary commitments. The United States therefore asks that the Court impose no additional obligations on Defendants.

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I, Jay D. Owen, hereby certify that on December 20, 2018, I caused a copy of the foregoing document to be served upon Plaintiffs State of California, State of Florida, State of Hawaii, State of Washington, and Defendants CVS Health Corporation and Aetna Inc., via the Court's CM/ECF system, and to be served upon Plaintiff State of Mississippi by mailing the documents electronically to its duly authorized legal representative:

Counsel for State of Mississippi:

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_____/s/
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